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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,035	10/30/2003	Yasunori Onishi	9319S-000570	1179

27572 7590 09/29/2006

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EXAMINER

SEMBER, THOMAS M

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 09/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/698,035	ONISHI ET AL.	
	Examiner	Art Unit	
	Thomas M. Sember	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 18, 34-37, 39 and 53-56 is/are pending in the application.
- 4a) Of the above claim(s) 2-9 and 39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10-12, 18, 34-37 and 53-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of the species of group 5 in the reply filed on 03/03/06 is acknowledged. The traversal is on the ground(s) that there is no burden.

On 05/21/06, in response to the Election Requirement filed 03/03/06, Applicant provisionally elected the Species of Group 5, with traverse. Applicant argued that "all of the species are drawn to subject matter which is so related to each other that an undue burden would not be placed upon the Examiner by maintaining all of the species in a single application. (see, e.g., MPEP § 803)." Finally, applicant indicated that only claims 1, 10, 11, 12, 17-18 and 34-38 are drawn to the species of group 5 in applicant's election filed on 03/03/06.

The examiner does not find this argument persuasive because the species have technical features which are patentably distinct from each other.

The requirement is still deemed proper and is therefore made FINAL.

On 07/11/06, the applicant submitted an amendment canceling some claims directed to different non-elected species in order to expedite prosecution. However, many of the still pending claims read on the non-elected species and on 05/21/06 applicant indicated that only claims 1, 10, 11, 12, 17-18 and 34-38 are drawn to the species of group 5. Therefore claims 2-9 and 39 are withdrawn from prosecution as claims directed to non-elected species. Furthermore, applicant canceled claims 17 and

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38 in the amendment filed on 07/11/06. Newly added claims 53-56 will be examined in this office action as being drawn to elected species of group 5.

Drawings

2. The drawings were received on 03/03/06. These drawings are approved.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 10-11, 12, 18, 34-37 and 53-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee (U.S. Patent No. 7,034,799). Lee (U.S. Patent No. 7,034,799) discloses a display device comprising: a first display unit 513 having a display surface on a front surface thereof, a second display unit 511 having a display surface on a rear surface thereof, and a common illumination unit 521 interposed between the first display unit and the second display unit illuminating both the first display unit 513 and the second display unit 511 with light, The illumination unit includes a light-guiding member 523 including a first light-emitting surface opposite the first display unit and a second light-emitting surface opposite the second display unit, and wherein a

transflector 511e is interposed between the second light-emitting surface of the light-guiding member and the second display unit 511. The transflector 511e reflecting light that previously passed through the first display unit back to the first display unit and reflecting light that previously passed through the second display unit back to the second display unit, the reflected light being used for reflective display.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 10-11, 12, 18, 34-37 and 53-56 are rejected under 35 U.S.C. 102(e) as being anticipated Han et al (US 2003/0103174). Han et al (US 2003/0103174) discloses a display device comprising: a first display unit 21 having a display surface on a front surface thereof, a second display unit 22 having a display surface on a rear surface thereof, and a common illumination unit 6 interposed between the first display unit and the second display unit illuminating both the first display unit and the second display unit with light, The illumination unit includes a light-guiding member 23 including a first light-emitting surface opposite the first display unit and a second light-emitting surface opposite the second display unit, and wherein a transflector 5 is interposed between the second light-emitting surface of the light-guiding member and

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the second display unit 22. The translector 5 reflecting light that previously passed through the first display unit back to the first display unit and reflecting light that previously passed through the second display unit back to the second display unit, the reflected light being used for reflective display.

Response to Arguments

3. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Suzuki et al, Akiyama (U.S. 2005/0073627) , Cheng and Kim teach double-sided displays similar to applicant's invention.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Sember whose telephone number is 571-272-2381. The examiner can normally be reached on M-F 8 A.M- 5.30 p.m. first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas M Sember

Primary Examiner
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